

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JAINTILAL MANNA, Plaintiff, vs. RONALD E. KNOWLES, individually and as agent of FOODLINER, INC., FOODLINER, INC. individually, RONALD E. KNOWLES individually and as agent of MCCOY GROUP, INC., and MCCOY GROUP, INC., individually, Defendants.	Case No. _____
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DEFENDANTS' NOTICE OF REMOVAL

Defendants RONALD E. KNOWLES (Knowles), FOODLINER, INC. (Foodliner) and MCCOY GROUP, INC. (McCoy Group) (collectively, Defendants) submit their Notice of Removal, pursuant to 28 U.S.C. § 1441 and 28 U.S.C. § 1332, and, in support of the removal of this action from County Department, Law Division of the Circuit Court of Cook County, Illinois to the United States District Court for the Northern District of Illinois, Eastern Division.

The Action

1. This lawsuit was initiated by the plaintiff, JAINTILAL MANNA (Manna or Plaintiff), in the County Department, Law Division of the Circuit Court of Cook County by the filing of his Complaint for Damages (Complaint) on October 21, 2021. The Complaint is currently pending as Case No. 2021L010348 under the caption

Jaintilal Manna vs. Ronald E. Knowles, individually and as agent of Foodliner, Inc., Foodliner, Inc., individually, Ronald E. Knowles, individually and as agent of McCoy Group, Inc., and McCoy Group, Inc., individually. Pursuant to 28 U.S.C. § 1446(a), Defendants have attached a copy of the state court record in Defendants' possession as of this filing, including a copy of the Complaint, summons issued to Foodliner and Plaintiffs Affidavit Pursuant to Supreme Court Rule 222(B), as *Exhibit A*.¹

2. Plaintiff filed his Complaint on October 21, 2021. Defendants Foodliner and McCoy were served through their registered agent by certified mail on November 4, 2021. Counsel for Defendants confirmed to Plaintiff's counsel that she would accept service on behalf of Defendant Knowles via a telephone call that occurred on or about November 8, 2021.

Statutory Grounds for Removal

3. This action is removable under 28 U.S.C. § 1441(a), which provides for the removal of state court civil actions over which U.S. District Courts have original jurisdiction. As set forth below, this Court has original jurisdiction over this action under 28 U.S.C. § 1332 because the amount in controversy exceeds the sum of \$75,000.00, exclusive of interests and costs, and the case is between citizens of different states.

¹ The remainder of the filings in the state court action have been requested from the Cook County Clerk and Defendants will supplement this Notice of Removal with a complete copy of the state court record upon receipt.

Citizenship of the Parties

4. Plaintiff is a resident and citizen of Illinois. More specifically, Plaintiff resides in Grayslake, Lake County, Illinois.

5. Defendant Knowles is a resident and citizen of the State of New York.

6. Defendant Foodliner is a Wisconsin corporation with its principal place of business located in Dubuque, Iowa. Defendant Foodliner is therefore a citizen of Wisconsin and Iowa for purposes of removal.

7. Defendant McCoy Group is a Wisconsin corporation with its principal place of business located in Dubuque, Iowa. Defendant McCoy Group is therefore a citizen of Wisconsin and Iowa for purposes of removal.

Amount in Controversy

8. Plaintiff is seeking compensation for personal injuries he claims were the result of a February 17, 2020 motor vehicle accident that involved a collision with a tractor-trailer unit operated by Defendant Knowles. In pre-suit disclosures, Plaintiff's counsel provided medical treatment and billing records indicating Plaintiff claimed medical expenses are at least \$240,000.00. He is also seeking lost wages of \$18,720.00, as well as other damages. Thus, the amount in controversy exceeds the \$75,000 jurisdictional threshold.

Timeliness of Removal

9. Pursuant to 28 U.S.C. § 1446(b)(3), "if the case stated by the initial pleading is not removable, a notice of removal may be filed within thirty days after receipt by the defendant, through service or otherwise, of a copy of an amended

pleading, motion, order or other paper from which it may first be ascertained that the case is one which is or has become removable.” This notice of removal is filed within 30 days of service of the Complaint.

Notice of Removal to this District is Proper.

10. Venue in the United States District Court for the Northern District of Illinois, Eastern Division, is proper because Plaintiff filed his original state court action in Cook County, Illinois. Additionally, the underlying motor vehicle accident, which is the subject of the Complaint, occurred in Lake County, Illinois, which is also located in the Northern District of Illinois, Eastern Division.

**Notice of Filing of Notice of Removal to
All Parties and to State Court Clerk**

11. True and accurate copies of this Notice of removal, with all exhibits, will be promptly filed with the Clerk of the Circuit Court of Cook County, Illinois County Department, Law Division and served upon all counsel of record, pursuant to 28 U.S.C. § 1446(d).

No Waiver and Jury Demand

12. By filing this Notice of Removal, Defendants do not waive any defenses available to them.

13. Defendants demand trial by jury.

Defendants, Ronald E. Knowles, Foodliner, Inc. and McCoy Group, Inc., respectfully remove this case to this Court.

Date: December 2, 2021

Respectfully submitted,

**SCOPELITIS GARVIN LIGHT
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*Attorney for Defendants, **Ronald E. Knowles, Foodliner, Inc. and McCoy Group, Inc.***

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing has been filed through the Court's electronic filing system on December 2, 2021, with copies served upon the following counsel of record electronically and by First Class United States Mail, postage prepaid.

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/s/ Donald W. Devitt

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